DETAILED ACTION

The Examiner identifies claim 1 under the heading "Claim Rejections - 35 USC § 112". Office Action, page 2. With respect to the claim 1 language "executing the query that feed the selected step," the claim element at issue is "one or more steps" which is qualified by "for executing the query" and also qualified by "that feed the selected step." As discussed in the specification, for example with respect to Figure 2, there are often multiple steps required to execute a query. Some of those steps produce results that are inputs to a subsequent step, either directly or indirectly. Steps that produce results that act as direct or indirect inputs to a subsequent step feed that step. Applicant believes that the current language is definite and correct.

With respect to the claim 1 language "with the other condition in the union of the conditions corresponding to the selected step," applicant appreciates the examiner's point and has amended claim 1 to clarify the language. Applicant has also amended claims 11 and 21 to address the same language used in those claims.

The examiner objected to claim 2, which has been cancelled.

The examiner stated "Claims 1-25 are rejected under 35 U.S.C. 101" and the applicant has amended the claims in response so that each claim includes the useful result of executing the query. This is a practical result that has real world value as seen in the large investments made by companies in database systems to execute queries.

The examiner rejected claims 1, 6-7, 11, 16-17, 21, and 26-27 under 35 U.S.C. 102(e) as being anticipated by Dettinger. Each of the independent claims 1, 11, and 21 includes identifying both conditions that correspond to a selected step <u>and</u> conditions that correspond to steps that feed the selected step. The examiner has identified 712_1 and 712_2 for those steps, but Dettinger does not teach that the conditions 712_2 correspond to steps that feed the step whose conditions correspond to 712_1. In addition, each of the independent claims 1, 11, and 21 describes a third set into which conditions found to be redundant are placed. The examiner identifies 712_3 as that third step, but 712_3 is an input of the process in Figure 7. It is not an output, let alone an output of redundant conditions based on the process described in applicant's claims. Dettinger does not disclose at least two required elements of the independent claims.

Dettinger does not anticipate a claim that includes one or more limitations that Dettinger does not disclose. *See In re Paulsen*, 30 F.3d 1475, 1479 (Fed. Cir. 1994). Applicant respectfully requests that the rejections of claims 1, 11, and 21 be withdrawn. Applicant also respectfully requests that the rejections of claims 6-7, 16-17, and 26-27 be withdrawn because those claims depend from the independent claims and contain the same untaught limitations.

With regard to the remaining dependent claims, the examiner identified Milby and Schiefer as teaching parallel processing hardware for a database system and cardinality calculations, respectively. Neither reference teaches the steps of the independent claims that are missing from Dettinger. Where a limitation is missing from both asserted references of an obviousness rejection, that rejection is improper. *In re Thrift*, 298 F.3d 1357, 1365-66 (Fed. Cir. 2002). Each of claims 3-5, 8-10, 13-15, 18-20, 23-25, and 28-30 include those elements by virtue of their dependency. Applicants respectfully request that the rejections be withdrawn.

SUMMARY

In light of the above remarks, reconsideration and withdrawal of the outstanding rejections is respectfully requested. It is further submitted that the application is now in condition for allowance and early notice of same is requested. Should the Examiner have any questions, comments, or suggestions in furtherance of the prosecution of this application, the Examiner is invited to contact the attorney of record by telephone, facsimile or electronic mail, as set out below.

Applicants believe that there are no fees due in association with the filing of this Response. However, should the Commissioner deem that any fees are due including fees for an Extension of Time, Applicants respectfully request that the Commissioner accept this as a Petition Therefore, and direct that any and all fees due are charged to deposit account number 14-0225, Order Number 069092.0178.

Respectfully submitted,

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